

Application No. 10/081,118

New Docket No.: 22321-00002-US1

Old Docket No.: 20198-00059

**AMENDMENTS TO THE CLAIMS**

1. (Canceled)
2. (Canceled)
3. (Currently amended) The reagent according to claim [[1]] 20, wherein the detergent is selected from the group consisting of:
  - primary amines, amine acetates and hydrochlorides, quaternary ammonium salts, and trimethylethyl ammonium bromide;
  - amides of substituted diamines, diethanolamino-propylamine or diethylaminopropylamide, amides of cyclised diethylenetriamine;
  - alkylaryl sulfonates, petroleum sulfonates, sulfonated glycerides;
  - cholamides, sulfobetaines;
  - alkyl glycosides, saponins;
  - polyoxyethylene ethers and sorbitans, and polyglycol ethers.
4. (Currently amended) The reagent according to claim [[1]] 20, wherein the stain is a fluorescent type stain.
5. (Currently amended) The reagent according to claim [[1]] 20, wherein the stain is capable of ~~combining specifically with~~ binding to intracellular ribonucleic acid of said unlysed remaining cells ~~whereby the fluorescence of~~ to enhance a fluorescent signal from said stain is ~~enhanced~~.
6. (Currently amended) The reagent according to claim [[1]] 20, wherein the stain is selected from the group ~~selected from~~ consisting of:

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- thiazole orange or 1-methyl-4-[(3-methyl-2-(3H)-benzothiazolylidene)methyl]quinolinium p- tosylate,
- thiazole blue,
- 4-[(3-methyl-2-(3H)-benzothiazolyl-idene)methyl]-1-[3-(trimethylammonium)propyl]quinolinium diiodide,
- 3,3'-dimethyloxacarbocyanine iodide or 3-methyl-2-[3-(3-methyl-2(3H)-benzothiazolylidene-1-propenyl]benzoxazolium iodide,
- thioflavine T,
- the stains SYTO® and TOTO® (TM Molecular Probes),
- ethidium bromide,
- propidium iodide,
- acridine orange,
- coriphosphine O,
- auramine O,
- the stains HOECHST 33258 and HOECHST 33342,
- 4',6-diamino-2-phenylindole dihydrochloride (DAPI),
- 4',6-diimidazolin-2-yl)-2-phenylindole dihydrochloride (DIP),
- 7-aminoactinomycin D,
- actinomycin D, and
- LDS 751.

7. (Canceled)

8. (Canceled)

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9. (Previously presented) The reagent according to claim [[1]] 20, which further comprises at least one membrane fixing agent present in a concentration of 0.1% to 10% (w/v).
10. (Previously presented) The reagent according to claim 9, wherein the membrane fixing agent comprises at least one alcohol or at least one aldehyde selected from the group consisting of paraformaldehyde and glutaraldehyde, or a mixture of at least one said alcohol and at least one said aldehyde.
11. (Currently amended) The reagent according to claim [[1]] 20, which also comprises at least one compound selected from the group consisting of a complexing agent, an inorganic salt and a buffer system.
12. (Withdrawn) Process for the identification and counting of biological cells in a sample, in particular in a blood sample, characterized in that it comprises the following operations:
  - mixing and incubating the sample with a reagent according to claim 1 in order to effect, in a single stage, the lysis of cells of a given type, in particular erythrocytes, the staining of the intracellular nucleic acids, and the fixing of the nucleate cells;
  - measuring the resultant solution by flow cytometry using at least two measuring parameters selected from resistive volume, axial luminous diffraction, axial luminous transmission, orthogonal luminous transfusion, and fluorescence; and
  - classifying and counting the nucleate cells in populations by means of the measured parameters.
13. (Withdrawn) Process according to claim 12, characterized in that the resistivity measurement is carried out by means of at least one current selected from a continuous current and a pulsed or alternating current.

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14. (Withdrawn) Process according to claim 12, characterized in that the axial luminous diffraction parameter is at least one parameter selected from small angle diffraction and large angle diffraction.
15. (Withdrawn) Process according to claim 12, characterized in that the classified nucleate cells are either mature or immature, normal or abnormal cells.
16. (Withdrawn) Process according to claim 12, characterized in that the classification of the nucleate cells is carried out by means of a multidimensional analysis software program, with or without the use of a software or other neuronal technique.
17. (Withdrawn) Process according to claim 12, characterized in that the sample is a sample of human or animal blood.
18. (Withdrawn) Process according to claim 12, characterized in that the sample is a sample of biological fluid or a suspension of cells of human or animal origin.
19. (Currently amended) A reagent for identifying and counting nucleated blood cells having nucleic acid in a sample having erythrocytes, comprising: a cell lysing agent consisting essentially of a solution having at least one non-ionic detergent in a concentration sufficient to lyse specifically erythrocytes, an ionophore, and a stain capable of marking the nucleic acids of unlysed remaining nucleated cells.

Please enter the following new claims:

20. (new) A reagent for identifying and counting blood cells having nucleic acid in a sample having erythrocytes, comprising: a cell lysing agent consisting essentially of a solution having at least one ionic and/or non-ionic detergent in a concentration sufficient to lyse specifically erythrocytes, an ionophore, and a stain capable of marking the nucleic acids of unlysed remaining cells.
21. (new) The reagent according to claim 20 wherein the ionophore is of the antibiotic type.